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Attorneys for Plaintiff

UNITED STATES DISTRICT COURT  
NORTHERN DISTRICT OF CALIFORNIA  
OAKLAND DIVISION

UNITED STATES OF AMERICA,

Plaintiff,

v.

LILIOSA EMBUDO,

Defendant.

Case No. CR-08-00458 WDB

MOTION FOR SUMMONS

Based on the facts set forth in the Declaration of Darien Meyer in Support of the United States' Motion for Summons, the United States hereby requests that the Court issue a summons for defendant Liliosa Embudo. The facts set forth in the declaration demonstrate that probable cause exists to summon the defendant to answer the Information that has been filed by the United States Attorney.

Respectfully submitted,

JOSEPH P. RUSSONIELLO  
United States Attorney

Dated: 7/11/08

MAUREEN BESSETTE  
Assistant United States Attorney

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**DECLARATION of DARIEN MEYER  
IN SUPPORT OF UNITED STATES'  
MOTION FOR SUMMONS**

I, Darien Meyer, hereby declare as follows:

1. I am a Law Clerk in the United States Attorney's Office assigned to this case. I have received the following information from agents employed by the United States Postal Service Office of the Inspector General (USPS OIG) and from reports and other documents provided to me by the USPS OIG.

2. Liliosa Embudo ("Defendant") worked for the United States Postal Service ("USPS") beginning in March 1998 through April 2008. From on or about November 2005 through August 2007, the Defendant stole funds from USPS. She did this by (1) failing to fill out (and falsifying the amount on) Forms PS 3533 required when giving patrons stamp refunds; (2) inflating the documentation for express mail refunds to patrons; (3) falsifying the amount for reimbursements

1 made to post office staff for several different line items; (4) writing false replacement Postal  
2 Money Orders and unrecorded handwritten Money Orders; and (5) creating Postal Money Orders  
3 for alleged emergency payroll adjustments without authorization.

4 3. The proof that Defendant stole the money is the following: (1) copies of Clerk Financial  
5 Reports PS 1412 showing the total transactions of window clerk #6 (Defendant) each day  
6 compared with:

- 7 • Copies of PS 3533 certification filled out by Defendant reporting lower actual refunds;
- 8 • Patron receipts for stamps and express mail refunds,
- 9 • Postal employee receipts for transportation, custodial and office supplies, and other  
10 expenditures, and
- 11 • PS 3533 forms with blank PVI labels attached;

12 (2) copies of Money Orders issued to Defendant's family; and (3) a sworn statement by  
13 Defendant admitting to stealing and explaining how she did it.

14 4. Taken together, Embudo stole \$31,385.16 of funds from the USPS during her employ  
15 there.


16 5. I declare under penalty of perjury that the foregoing is true and correct to the best of my  
17 knowledge and belief.

18  
19 Executed July 9, 2008, at Oakland, California.

20  
21  
22  
23 DATED: 7/9/08

Respectfully submitted,

24 JOSEPH P. RUSSONIELLO  
25 United States Attorney

26   
27 DARIEN M. MEYER  
28 Law Clerk  
United States Attorney's Office

JOSEPH P. RUSSONIELLO (CASBN 44332)  
United States Attorney

UNITED STATES DISTRICT COURT  
NORTHERN DISTRICT OF CALIFORNIA  
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**[PROPOSED] ORDER FOR SUMMONS**

Having reviewed the Declaration of Darien Meyer, the Court finds that probable cause exists to believe that an offense has been committed. Accordingly, pursuant to Fed. R. Crim. P. 58(d)(3), the Clerk of the Court is directed to issue a Summons directing the defendant, Liliosa Embudo, to appear on August 6, 2008, at 10:00 a.m. before Magistrate Judge Wayne D. Brazil to answer the Information that has been filed by the United States Attorney.

IT IS SO ORDERED.

Dated: \_\_\_\_\_

NANDOR J. VADAS  
United States Magistrate Judge